

LABEL IN PART: (Box) "Cardinal Fever Thermometer Kind—Oral [or "Stubby"]."

ACCOMPANYING LABELING: Leaflet entitled "Certificate of Accuracy For Clinical Thermometers."

CHARGE: 501 (c)—when shipped, the quality of the article fell below that which it purported and was represented to possess since it purported and was represented to comply with the requirements for accuracy specified in Commercial Standard CS1-52 issued by the National Bureau of Standards of the Department of Commerce, whereas the article failed to comply with such requirements; and 502 (a)—the following statements in the above-mentioned leaflet were false and misleading: "We, the undersigned manufacturers, hereby certify that this registering clinical thermometer has been tested and found to meet all the requirements and tests specified in Commercial Standard CS1-52, as developed by the trade under the procedure of the Commodity Standards Division, and issued by the United States Department of Commerce."

PLEA: Guilty.

DISPOSITION: 12-19-57. \$300 fine.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE *

5297. Sustamin tablets. (F. D. C. No. 36843. S. No. 80-668 L.)

QUANTITY: 41 display ctns., 6 50-tablet pkgs. each, and 9 display ctns., 6 100-tablet pkgs. each, at Philadelphia, Pa.

SHIPPED: 4-20-54, from New York, N. Y., by Protam Pharmacal Co.

LABEL IN PART: (Ctn.) "Sustamin 2-12 * * * 12 Hour Continuous Medication With Only 2 Tablets * * * New Medical Discovery"; (pkg.) "Sustamin Tablets 2 Tablets - 12 Hour Medication * * * Active Ingredients Each tablet contains Sodium Salicylate Acetophenetidin 2 gr., Anhydrous Caffeine."

ACCOMPANYING LABELING: Circular entitled "Sust-A-Gram * * * New Hospital Proved Sustamin 2-12 Stops Pains of Arthritis-Rheumatism, Bursitis, Neuritis, Sciatica, Lumbago."

LIBELED: 6-23-54, E. Dist. Pa.

CHARGE: 502 (a)—the labeling of the article, when shipped, contained false and misleading representations that the article was an adequate and effective treatment for arthritis, rheumatism, bursitis, sciatica, lumbago, swelling, and inflammation, and for providing increased mobility to impaired joints.

DISPOSITION: On 9-24-54, John T. and Harriet Andreadis, d/b/a Protam Pharmacal Co., filed a claim and an answer denying the misbranding charge above. The Government filed interrogatories on 2-8-55, and the claimant filed objections to the interrogatories on 3-18-55. On 9-30-55, the claimant's objections to certain interrogatories were sustained in part, and the court ordered the claimant to answer the other interrogatories. The claimant filed answers to the interrogatories as ordered; and, on 5-2-56, the Government filed a motion for summary judgment, which was denied on 7-9-56, as the court found that the record showed substantial questions of fact existed.

*See also Nos. 5287, 5288, 5291, 5296.

On 2-4-57, the claimant having previously withdrawn the answer and claim, the court entered a decree of condemnation and destruction.

5298. 30 Plus tablets. (F. D. C. No. 39251. S. No. 58-581 M.)

QUANTITY: 64 120-tablet btls. at Denver, Colo., in possession of Woodard Laboratories of Colorado.

SHIPPED: On 4-26-56 and 6-4-56, from Hollywood, Calif., by Pacific Mineral Industries.

LABEL IN PART: "30 Plus An Organic Formula Iron, Iodine And Copper in A Special Base Of Mexican Damiana Leaves Honduras Sarsaparilla Root True Cramp Bark - Squaw Vine Black Haw Bark of Root * * * A Dietary Supplement."

ACCOMPANYING LABELING: Circulars entitled "Organic Herbs And Minerals Containing Natural Hormones," "Tired—Run Down—Weak—Listless—Tired Blood Due To Iron Deficiency Anemia * * * Formula 30 Plus," "Look For Nutritional Iron And Iodine Deficiencies," and "Doctor's Order Form."

RESULTS OF INVESTIGATION: The circular entitled "Doctor's Order Form" was printed for the consignee, and the other circulars were shipped to the consignee on various dates by the Pacific Mineral Industries.

LIBELED: 6-18-56, Dist. Colo.

CHARGE: 502 (a)—when the article was shipped and while it was held for sale, the accompanying labeling contained false and misleading representations that the article was an adequate and effective treatment for menopausal symptoms, palpitation of the heart, nervousness, symptoms caused by insufficient hormone production by the body, iron deficiency anemia, and symptoms attributed to iron deficiency anemia.

DISPOSITION: 8-23-56. Default—destruction.

5299. Radium Stone device. (F. D. C. No. 39513. S. No. 27-394 M.)

QUANTITY: 36 *Radium Stone devices and accessories* consisting of 72 3-gal. stoneware crocks with spigots and 18 lbs. of ground yellow mineral, at Dallas, Tex., in possession of J. R. Hogan.

SHIPPED: On or about 2-9-56, a quantity of ground yellow mineral was transported from Colorado Springs, Colo., to Dallas, Tex., by J. R. Hogan.

ACCOMPANYING LABELING: Leaflets entitled "Have A Radioactive Spring In Your Home" and "Instructions for Use of Radium Stone."

RESULTS OF INVESTIGATION: After transporting the ground yellow mineral to Dallas, Tex., J. R. Hogan added a portion of the mineral to ready-mixed concrete and made 36 concrete objects in the shape of cone frustums, some of which measured 4 inches in height and 2½ inches in diameter at the base and others 2 inches in height and 3 inches in diameter at the base. Each concrete cone frustum was known as a "Radium Stone," and it purported to produce radioactive water when placed in a 3-gal. crock filled with water. The directions for use provided for drinking not less than 12 glasses a day of the treated water.

Examination showed that the concrete cone frustums and the ground yellow mineral matter emitted slight beta gamma radiation.

LIBELED: 11-2-56, N. Dist. Tex.

CHARGE: 502 (a)—the labeling accompanying the article, while held for sale, contained false and misleading representations that the article was a phys-